



POLICY ON NON-RETALIATION

Policy Statement

Northwestern University strictly prohibits retaliation against any member of its community for reporting or inquiring in good faith about alleged improper, wrongful, or unlawful activity, or participating in any manner in an investigation or proceeding related to such activity. The University considers such actions to be protected activities in which all members of the Northwestern community may freely engage. Additionally, employees working on federal grants or contracts are protected from reprisal under federal whistleblower law.

Purpose

Northwestern is committed to operating with fairness and integrity and expects members of its community to act legally and consistent with the highest ethical standards. The purpose of this Policy is to promote an academic, research, and work environment that encourages community members to report any activity they believe in good faith to be improper, wrongful, or unlawful.

Audience

All Northwestern community members, including faculty, staff, students, visitors, contractors, and volunteers.

Definitions

In good faith: done with honest belief that improper, wrongful, or unlawful activity may have occurred.

Materially adverse: sufficiently harmful to dissuade a reasonable person from engaging in protected activities.

Protected activities: include (i) reporting (whether internally or externally) or inquiring, in good faith, about alleged improper, wrongful, or unlawful activity; (ii) assisting others in making such a report; or (iii) participating in any manner in an investigation or proceeding related to alleged improper, wrongful, or unlawful activity.

Retaliation: any attempt to seek retribution against an individual or group of individuals who engaged in protected activities. Retaliation can take many forms, as described in Section II below. Action in response to protected activities is retaliatory if (i) it has a materially adverse effect on the working, academic, or

other University-controlled environment of an individual; and (ii) it would not have occurred in the absence of the protected activities.

Policy Implementation

I. *Encouragement of Reporting; Reporting Obligation*

Northwestern University encourages members of its community to report all information regarding any activity they reasonably believe to be improper, wrongful, or unlawful, including activities that may constitute:

- discrimination, harassment, or sexual misconduct (see the Policies on [Discrimination and Harassment](#) and [Sexual Misconduct](#); the Sexual Misconduct Policy requires the reporting of unlawful activity);
- fraud;
- unethical business conduct (see the [Standards for Business Conduct](#));
- academic misconduct (see the [Student Handbook](#)¹);
- research misconduct (see the [Policy for Reviewing Alleged Research Misconduct](#));
- fraud, waste, abuse, or mismanagement in connection with a federal contract or grant (see Section IV below);
- circumstances of substantial, specific, or imminent danger to faculty, staff, or students or the public's health and/or safety;
- suspected child abuse and/or neglect (see the [Reporting Suspected Child Abuse and Neglect Policy](#), which requires the reporting of unlawful activity);
- other violations of University policies or procedures; or
- other violations of local, state, or federal laws or regulations.

Additionally, applicable law and University Policies mandate the reporting of certain unlawful activity, as noted above. The University is firmly committed to a policy of encouraging timely disclosure of such concerns and prohibits retaliation against any member of the Northwestern community who, in good faith, reports such concerns.

II. *Protection from Retaliation*

For purposes of this Policy, retaliation is any attempt to seek retribution against an individual or group of individuals who engaged in protected activities. Retaliation can take many forms, as described below. Action in response to protected activities is retaliatory if (i) it has a materially adverse effect on the working, academic, or other University-controlled environment of an individual; and (ii) it would not have occurred in the absence of the protected activities.

Examples of retaliation could include, but are not limited to:

- adverse actions relating to one's work assignments, salary, vacation, or other terms of employment;
- terminating employment;
- reducing a student's grade;

¹ Academic conduct policies are also contained in the Undergraduate Catalog, the Graduate Student Bulletin, and other policy documents issued by Northwestern's schools, departments, and programs.

- removing someone from an organization; or
- engaging in harassing conduct that is sufficiently severe, pervasive, and/or persistent to create a hostile environment, when judged both objectively (meaning a reasonable person would find the environment hostile) and subjectively (meaning the affected individual felt the environment was hostile).

Members of the community are prohibited from engaging in actions directly, or through others, that are aimed to dissuade a reasonable party or a witness from reporting improper, wrongful, or unlawful activity, or from participating in an investigation or hearing. In addition, no community member may be retaliated against for refusing to carry out a directive that constitutes fraud or violates a law or regulation.

III. *Reporting Process*

Members of the Northwestern community should timely report evidence of alleged improper, wrongful, or unlawful activity by contacting their immediate supervisor, department chair, dean, or administrative head; the Office of the Provost; the Office of Human Resources; the Dean of Students Office; a Title IX Coordinator; or the Office of Equity (see “Contacts” below for additional information). Any instances of alleged retaliation or retribution should be reported in the same manner. Northwestern community members who prefer to report anonymously may do so by utilizing [EthicsPoint](#), a phone- and web-based resource available 24 hours a day, 365 days a year.

All reports will be handled as promptly and discreetly as possible, with facts made available only to those who need to know to investigate and resolve the matter.

IV. *Whistleblower² Protection in Connection with Federal Contracts or Grants*

Federal law protects Northwestern employees who work on federal contracts or grants from reprisal for reporting fraud, waste, or other misconduct relating to such contracts or grants. Research misconduct regulations adopted by federal agencies funding sponsored research at Northwestern similarly require the University to protect the positions and reputations of community members who report misconduct in good faith or participate in good faith in misconduct proceedings.

A printable summary of whistleblower protections available under federal law is available [here](#).

Consequences of Violating this Policy

Individuals who are found to have engaged in retaliation may be subject to disciplinary action, up to and including termination of employment or academic dismissal.

Related Information

Laws and regulations

[10 U.S.C. Section 2409](#)

² A whistleblower is a person, usually an employee, who reports misconduct in an organization.

[41 U.S.C. Section 4712](#)

[Federal Acquisition Regulation Subpart 3.908](#)

University Policies

[Discrimination and Harassment](#)

[Reporting Suspected Child Abuse and Neglect](#)

[Reviewing Alleged Research Misconduct](#)

[Sexual Misconduct](#)

Other information

[EthicsPoint](#)

[Faculty Handbook](#)

[Staff Handbook](#)

[Standards for Business Conduct](#)

[Student Handbook](#)

[Summary of employee whistleblower protections under federal law](#)

Contacts

The following individuals and offices can address questions regarding this Policy:

1. For faculty issues: Associate Provost for Faculty, Lindsay Chase-Lansdale, at (847) 491-7040 or assoc-prov-faculty@northwestern.edu
2. For student issues: Dean of Students at (847) 491-8430 or dos@northwestern.edu
3. For staff issues: Associate Vice President, Office of Human Resources, Dana Bradley, at (847) 467-5629 or dana.bradley@northwestern.edu

To report evidence of discrimination, harassment, or sexual misconduct, contact:

Office of Equity, at (847) 491-7458 or eeo@northwestern.edu or

Title IX Coordinator, at (847) 467-6871 or TitleIXCoordinator@northwestern.edu

To report evidence of research misconduct, contact: Office for Research Integrity (ORI), at (312) 503-0054 or nu-ori@northwestern.edu.

History

Supersedes policy dated May 2013.

Policy URL:

[insert policy URL after community review period]

Under Review